

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Annex
4041 N. Richards Street, Box 12436
Milwaukee, WI 53212-0436
TELEPHONE 414-229-0800
FAX 414-229-0810

October 29, 1997

Gene Casperson
Lisbon Sales & Service
W224 N4885 Westview Drive
Sussex, WI 53089

Dear Mr. Casperson:

Subject: Case closure for Lisbon Sales & Service two 8,000 gallon
unleaded gasoline underground storage tanks, 7515 West
Lisbon Avenue, Milwaukee, file reference FID #241121320
RR-LUST

I have reviewed your case file based on documents submitted by Northern Environmental. Based on this information I agree with AES Consultants in that no further work is needed. The department reserves the right to reopen this case pursuant to s. NR726.09, Wisconsin Administrative Code (WAC), should additional information regarding site conditions indicate contamination on or from the site poses a threat to public health, safety or welfare or the environment.

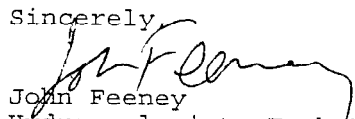
To complete the closure of this site, you must place a groundwater use restriction on the property deed at the county register of deeds office which specifies the legal description of the property, the location, type, and concentration of the contaminants and includes the following language:

Natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property. Construction of wells where water quality exceeds the drinking water standards in ch. NR809 is restricted by chs. NR811 and NR812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply. Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater to determine what specific requirements are applicable prior to constructing or reconstructing a well on this property.

This letter is not a certification under the Wisconsin Land Recycling Law, Wisconsin Act 453. Persons who meet the definition of purchaser in s. 144.765(1)(c) must receive department pre-approval prior to conducting a site investigation in order to be eligible for the liability exemption under s. 144.765., Stats.

If you have any questions about this letter, call me at 414-229-0850.

Sincerely,


John Feeney
Hydrogeologist, Tank Response Unit

*Quality Natural Resources Management
Through Excellent Customer Service*



Document Number:

GROUNDWATER USE RESTRICTION

Legal Description of the Property as it Appears on the Most Recent Deed

MARLOR IN SW 1/4 Sec

Block 1

10-7-21

Lot 1, 2, & 3

7515 W LISBON AV
MILW WI

Recording Area

Name and Return Address

EUGENE CASPERSEN
W224 N4885 WESTVIEW
SUSSEX WI 53089

Declaration of Restrictions

Property Identification
Number (PIN):

STATE OF WISCONSIN)
)ss
COUNTY OF MILWAUKEE)

291-0301-100-9

WHEREAS, EUGENE CASPERSEN is the owner(s) of the above-described property.

WHEREAS, one or more PETROLEUM discharges have occurred at this property.
(contaminants) BENZENE WAS DETECTED AT 5.4 UG/L 5/31/96 monitoring
well MW-1 exists in the groundwater above ch. NR 140 enforcement standards on this
property. These wells are located in the SOUTH CENTRAL portion of the site.

WHEREAS, it is the desire and intention of the property owner to impose on the property
restrictions which will make it unnecessary to conduct additional soil or groundwater remediation
activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to
remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of
this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards
in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. Special well construction standards or
water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held
and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject
to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable and to obtain DNR approval, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit can be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 6 day of July, 19 2001

Signature: Eugene Caspersen

Printed Name: EUGENE CASPERSEN

Subscribed and sworn to before me this 6 day of July, 19 2001

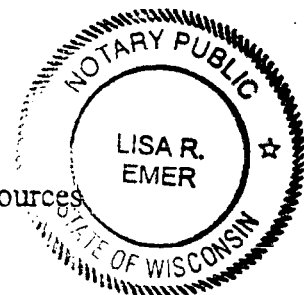
Lisa R. Emer

Notary Public, State of Wisconsin

My commission expires 10/27/02

This document was drafted by the Wisconsin Department of Natural Resources

D:\restrict.frm



GROUND WATER USE RESTRICTION

Document Number

Document Title

8095397

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED AT 11:07 AM

07-06-2001

WALTER R. BARCZAK
REGISTER OF DEEDS

AMOUNT 14.00

Recording Area

Name and Return Address

EUGENE C. SPIRSEN
W224 N4885 WESTVIEW
SUSSEX WI 53089

291-0301-100-9

Parcel Identification Number (PIN)

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document.
Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, §9.43(2m) WRDA 2/99

CERTIFICATE NO **241151**

STATE OF WISCONSIN
MILWAUKEE COUNTY SS.

OFFICE OF
REGISTER OF DEEDS



I, the undersigned,
Register of Deeds of
Milwaukee County,
hereby certify that
this document is a
true and correct copy
of the original on
file or record in
this office.

Witness my hand and
official seal this
JUL - 6 2001
Walter R. Barczak
Walter R. Barczak

76TH STREET

LISBON AVENUE

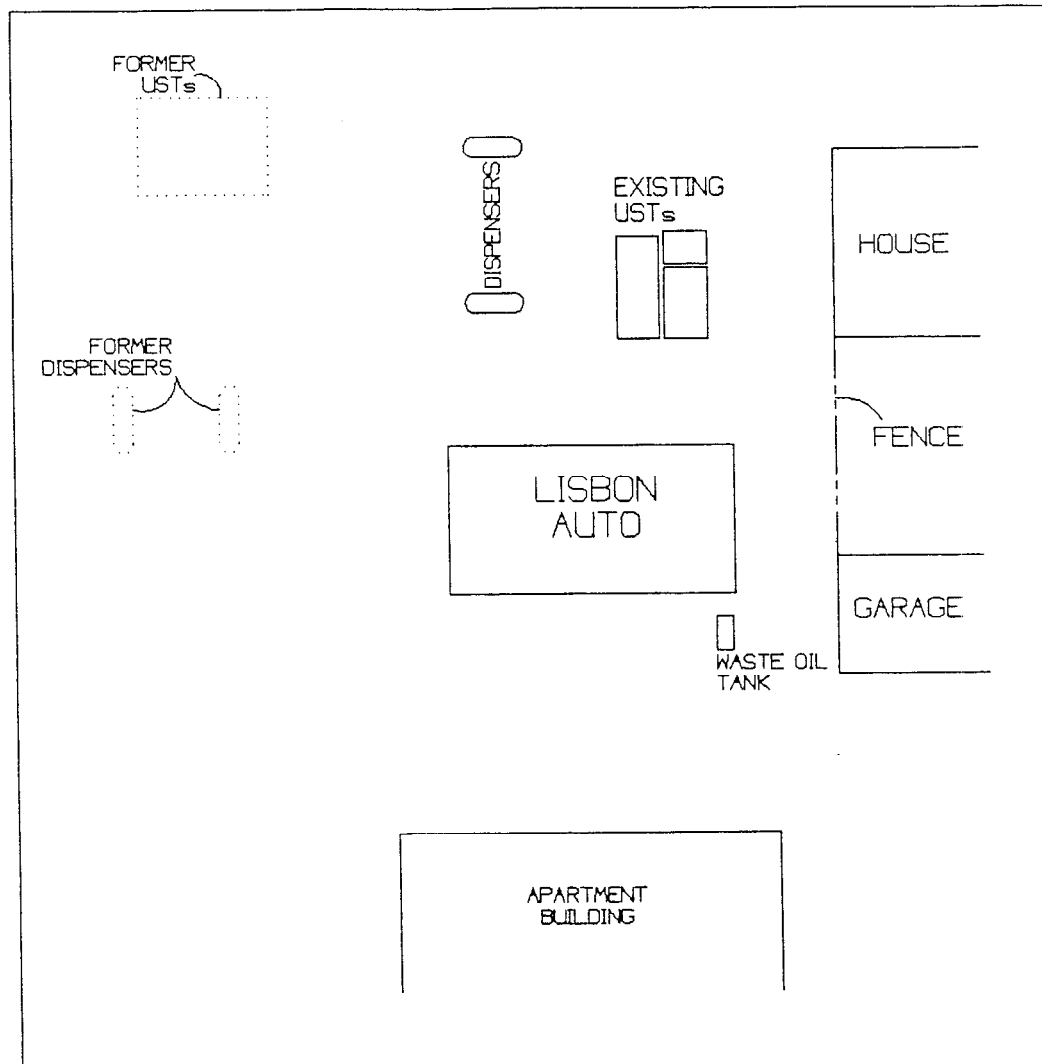


FIGURE 2		
SITE PLOT PLAN		
SCALE: 1" = 40'	DATE: OCTOBER 31, 1995	
AES CONSULTANTS, LTD.		BY: SMS

LISBON AVENUE

76TH STREET

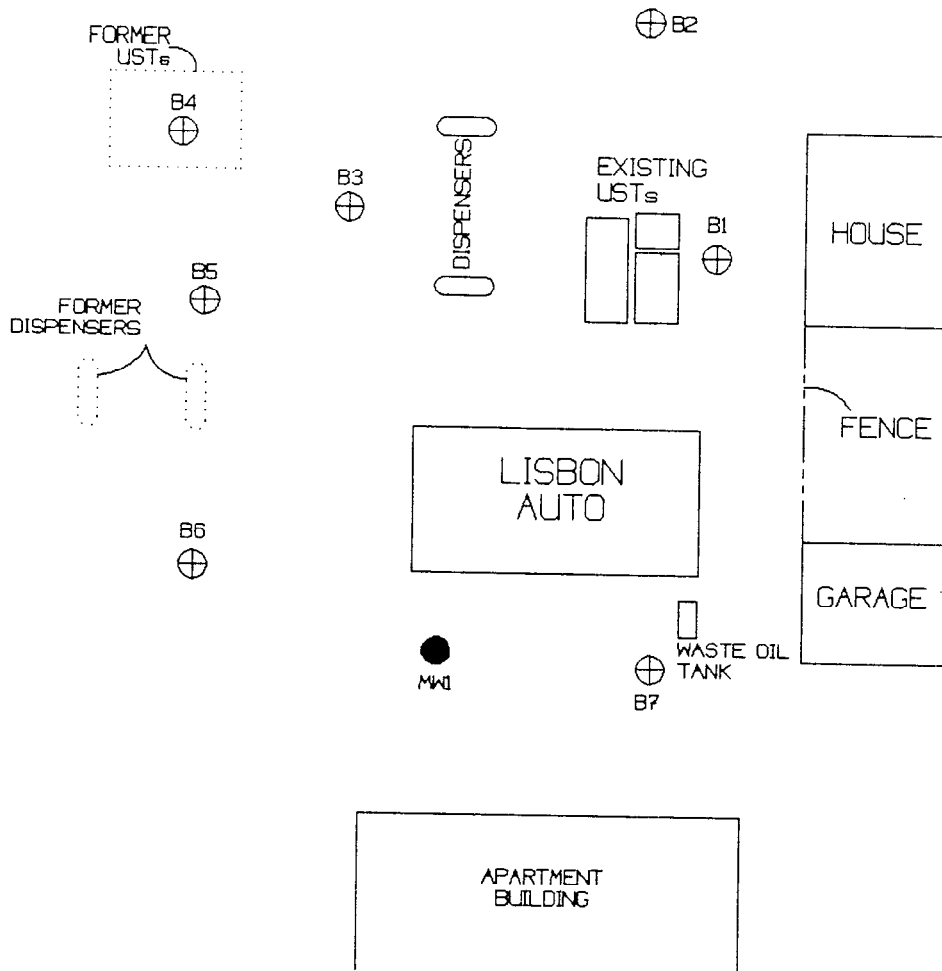


FIGURE 3

SOIL BORING LOCATIONS

SCALE: 1" = 40'

DATE: MAY 20, 1994

A.E.S. CONSULTANTS, LTD.

BY: SMS

LISBON AVENUE

76TH STREET

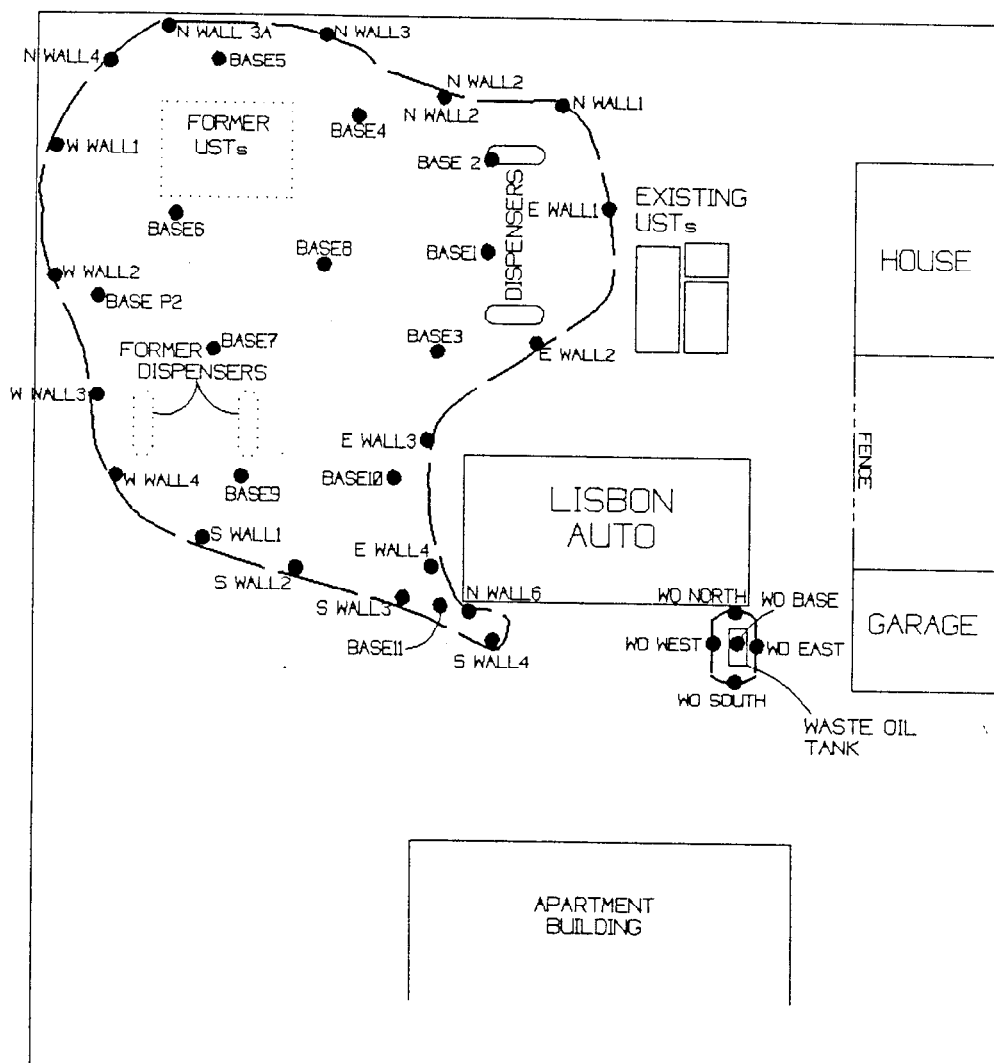


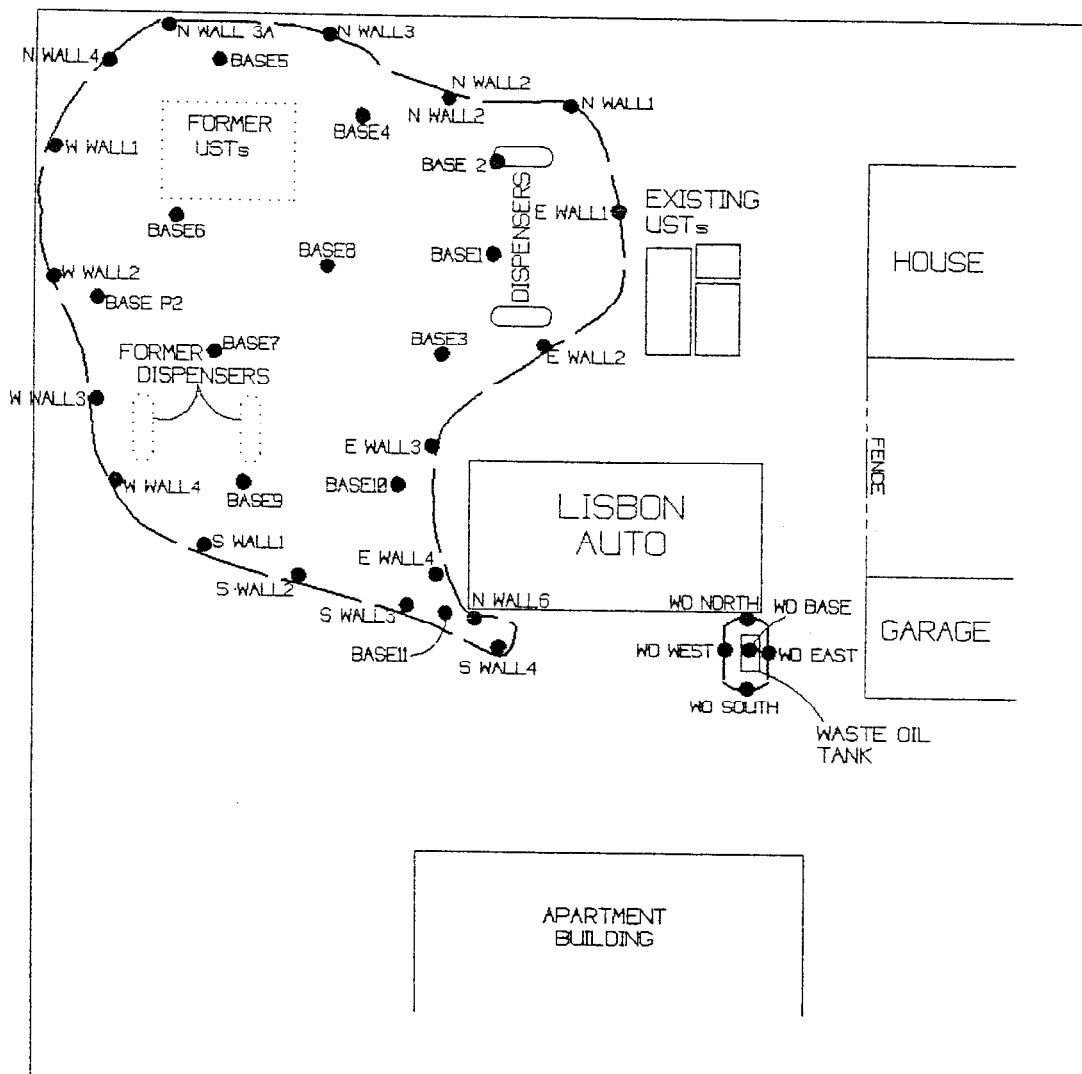
FIGURE 3	
SOIL SAMPLING LOCATIONS	
SCALE: 1" = 40'	DATE: OCTOBER 31, 1995
AES CONSULTANTS, LTD.	BY: SMS

Table 2
Groundwater Sample Analytical Results
MW-1

	NR140		5/19/94	5/31/96
	ES	PAL		
GRO	NS	NS	78,000	200
Benzene (ug/l)	5	0.5	4,000	5.4
Ethylbenzene (ug/l)	700	140	1,900	3.0
MBTE (ug/l)	60	12	ND	ND
Toluene (ug/l)	343	68.6	10,000	2.1
1,2,4 - Trimethylbenzene (ug/l)	NS	NS	4,200	4.0
1,3,5 - Trimethylbenzene (ug/l)	NS	NS	990	8.0
Xylenes (ug/l)	620	124	20,500	22

LISBON AVENUE

76TH STREET



LEGEND

● SOIL SAMPLING LOCATION



FIGURE 4

SOIL SAMPLING LOCATIONS

SCALE: 1" = 40' DATE: OCTOBER 31, 1995

AES CONSULTANTS, LTD.

BY: SMS

Table 3
Overexcavation Analytical Results

Sample Number	Location Description	GRO mg/kg	DRO mg/kg	Benzene ug/kg	Ethylbenzene ug/kg	Toluene ug/kg	Xylene ug/kg
NR720 Soil Quality Standard		250	250	5.5	2,900	1,500	4,100
Base 1	Base of Excav. #1	ND	NA	3.3	2.6	ND	12.1
Nwall 1	North Wall #1	ND	ND	1.2	1.9	ND	6.8
Ewall 1	East Wall #1	7.1	ND	ND	21	ND	5
Base 2	Base of Excav. #2	ND	31	ND	2	ND	9.2
Base 3	Base of Excav. #3	ND	NA	ND	ND	ND	ND
Nwall 2	North Wall #2	ND	ND	ND	ND	ND	ND
Base 4	Base of Excav. #4	ND	ND	ND	ND	ND	1.8
Wwall 1	West Wall #1	ND	ND	ND	ND	ND	ND
Wwall 2	West Wall #2	ND	ND	ND	ND	ND	2.8
LF-1	Landfill Conf. #1	490	NA	NA	NA	NA	NA
LF-2	Landfill Conf. #2	280	NA	NA	NA	NA	NA
LF-3	Landfill Conf. #3	900	NA	NA	NA	NA	NA
Swall 1	South Wall #1	ND	NA	ND	ND	ND	ND
Nwall 3	North Wall #3	5.7	8.8	ND	ND	ND	ND
Base 6	Base of Excav. #6	ND	NA	ND	ND	ND	ND
Base 5	Base of Excav. #5	ND	NA	ND	ND	ND	ND
Base P2	Base of Excav.	ND	NA	ND	ND	ND	ND
Nwall 3-A	North Wall #3-A	ND	NA	ND	ND	ND	ND
Nwall 4	North Wall #4	ND	NA	ND	ND	ND	ND
LF-4	Landfill Conf. #4	34	NA	NA	NA	NA	NA
Base 7	Base of Excav. #7	ND	NA	ND	ND	ND	ND
Wwall 3	West Wall #3	ND	NA	ND	ND	ND	ND
LF-6	Landfill Conf. #6	ND	NA	NA	NA	NA	NA
LF-5	Landfill Conf. #5	ND	NA	NA	NA	NA	NA

Table 3 (continued)							
Sample Number	Location Description	GRO mg/kg	DRO mg/kg	Benzene ug/kg	Ethylbenzene ug/kg	Toluene ug/kg	Xylene ug/kg
NR720 Soil Quality Standard		250	250	5.5	2,900	1,500	4,100
LF-8	Landfill Conf. #8	39	NA	NA	NA	NA	NA
East Wall-2	East Wall #2	ND	NA	ND	ND	ND	ND
East Wall-3	East Wall #3	ND	NA	ND	ND	ND	ND
Base 8	Base of Excav. #8	ND	NA	ND	ND	ND	ND
Base 9	Base of Excav. #9	ND	NA	ND	ND	ND	4.6
West Wall-4	West Wall L#4	32	NA	ND	ND	ND	ND
South Wall-3	South Wall #3	ND	NA	1.7	9	ND	42
South Wall-2	South Wall #2	ND	NA	1.3	2.7	ND	12
LF-9	Landfill Conf. #9	18	NA	NA	NA	NA	NA
Base 10	Base of Exc. #10	ND	NA	ND	1.5	2	11.8
Base 11	Base of Exc. #11	20	NA	ND	6.5	3.2	2.8
Nwall 6	North Wall #6	ND	NA	ND	ND	ND	2.3
Ewall 4	East Wall #4	ND	NA	ND	ND	ND	ND
Swall 4	South Wall #4	6.1	NA	ND	1.3	ND	8.1
W.O. North	Waste Oil North	NA	ND	ND	ND	ND	ND
W.O. South	Waste Oil South	NA	ND	ND	ND	ND	ND
W.O. East	Waste Oil East	NA	ND	ND	ND	ND	ND
W.O. West	Waste Oil West	NA	ND	ND	ND	ND	ND
W.O. Base	Waste Oil Base	NA	ND	ND	ND	ND	ND

ND = Not Detected NA = Not Analyzed